

Senate Engrossed

**FILED**

**KEN BENNETT**  
**SECRETARY OF STATE**

State of Arizona  
Senate  
Fiftieth Legislature  
First Regular Session  
2011

CHAPTER 64

# **SENATE BILL 1147**

AN ACT

AMENDING SECTION 28-959.01, ARIZONA REVISED STATUTES; RELATING TO MOTOR  
VEHICLE EQUIPMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 28-959.01, Arizona Revised Statutes, is amended to read:

28-959.01. Materials on windows or windshield; exceptions; requirements; violation; definitions

A. This section does not apply to:

1. Front side wing vents and windows that have a substance or material in conjunction with glazing material that has a light transmission of thirty-three per cent plus or minus three per cent and a luminous reflectance of thirty-five per cent plus or minus three per cent.

2. Front side wing vents and windows that have a substance or material not attached in conjunction with glazing material that is used by a vehicle operator on a moving vehicle during daylight hours as provided in section 28-922.

3. Rearview mirrors.

4. Adjustable nontransparent sun visors that are mounted forward of the side windows and that are not attached to the glass.

5. Signs, stickers or other materials that are either:

(a) Displayed in a seven inch square in the lower corner of the windshield farthest removed from the driver.

(b) Displayed in a five inch square in the lower corner of the windshield nearest the driver.

6. Side windows that are to the rear of the driver and rear windows that have a substance or material in conjunction with glazing material that has a luminous reflectance of thirty-five per cent plus or minus three per cent or less.

7. Direction, destination or termination signs on a passenger common carrier motor vehicle, if the signs do not interfere with the driver's clear view of approaching traffic.

8. Rear window wiper motors.

9. A rear trunk lid handle or hinges.

10. The rear window or windows if the motor vehicle is equipped with outside mirrors that are on both left-hand and right-hand sides of the vehicle and that are located in a manner to reflect to the driver a view of the highway through each mirror for a distance of at least two hundred feet to the rear of the motor vehicle.

11. Transparent material that is installed, affixed or applied to the topmost portion of the windshield if:

(a) The bottom edge of the material is at least twenty-nine inches above the undepressed driver's seat when measured from a point five inches in front of the bottom of the backrest with the driver's seat in its rearmost and lowermost position with the vehicle on a level surface.

(b) The material is not red or amber in color.

12. SAFETY MONITORING EQUIPMENT AND DRIVER FEEDBACK IF MOUNTED IN EITHER OF THE FOLLOWING LOCATIONS:

(a) IMMEDIATELY BEHIND, SLIGHTLY ABOVE OR SLIGHTLY BELOW THE REARVIEW MIRROR.

1 (b) WHERE THE REARVIEW MIRROR WOULD COMMONLY BE POSITIONED IF THE  
2 MOTOR VEHICLE IS WITHOUT A WINDSHIELD MOUNTED REARVIEW MIRROR.

3 B. Except as otherwise provided in this section, a person shall not  
4 operate a motor vehicle with an object or material placed, displayed,  
5 installed, affixed or applied on the windshield or side or rear windows or  
6 with an object or material placed, displayed, installed, affixed or applied  
7 in or on the motor vehicle in a manner that obstructs or reduces a driver's  
8 clear view through the windshield or side or rear windows.

9 C. Except as otherwise provided in this section, a person shall not  
10 place, install, affix or apply a transparent material on the windshield or  
11 side or rear windows of a motor vehicle if the material alters the color or  
12 reduces the light transmittance of the windshield or side or rear windows.

13 D. Each manufacturer shall certify to the director that the product or  
14 material the manufacturer manufactures or assembles complies with the  
15 reflectivity and transmittance requirements of this section.

16 E. This section does not permit or prohibit the use and placement of  
17 federal, state or local certificates on any window as are required or  
18 prohibited by applicable laws.

19 F. A person who sells or installs objects or materials under this  
20 section shall set forth in a conspicuous manner that the installation of the  
21 object or material to the driver or passenger side window may be illegal in  
22 some states.

23 G. On application from a person required for medical reasons to be  
24 shielded from the direct rays of the sun that is supported by written  
25 attestation of this fact from a physician licensed pursuant to title 32,  
26 chapter 13 or 17, the department may issue an exemption from this section for  
27 a motor vehicle belonging to the person or in which the person is a habitual  
28 passenger. A person may operate a vehicle or alter the color or reduce the  
29 light transmitted through the side or rear windows of a vehicle pursuant to  
30 an exemption issued by the director.

31 H. In this section, unless the context otherwise requires:

32 1. "Light transmission" means the ratio of the amount of total light,  
33 expressed in percentages, that is allowed to pass through the product or  
34 material including the glazing to the amount of total light falling on the  
35 product or material and the glazing.

36 2. "Luminous reflectance" means the ratio of the amount of total  
37 light, expressed in percentages, that is reflected outward by the product or  
38 material to the amount of total light falling on the product or material.

39 3. "Manufacturer" means either:

40 (a) A person who engages in the manufacturing or assembling of sun  
41 screening products or materials designed to be used in conjunction with  
42 vehicle glazing materials.

43 (b) A person who fabricates, laminates or tempers the glazing material  
44 incorporating the capacity to reflect or to reduce the transmittance of light  
45 during the manufacturing process.

~~APPROVED BY THE GOVERNOR APRIL 12, 2011.~~

~~FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 12, 2011.~~

Passed the House April 6, 2011,

by the following vote: 58 Ayes,

0 Nays, 2 Not Voting

[Signature]  
Speaker of the House

Cheryl Laube  
Chief Clerk of the House

Passed the Senate February 10, 2011,

by the following vote: 29 Ayes,

0 Nays, 1 Not Voting

[Signature]  
President of the Senate

Charmaine Bell  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

7 day of April, 2011,

at 2:00 o'clock P. M.

[Signature]  
Secretary to the Governor

Approved this 12<sup>th</sup> day of

April, 2011,

at 10:01 o'clock A. M.

[Signature]  
Governor of Arizona

S.B. 1147

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 12<sup>th</sup> day of April, 2011,

at 4:01 o'clock P. M.

[Signature]  
Secretary of State